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May 3, 2022

## BY ECF

The Honorable Sarah L. Cave  
United States Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *Catherine McKoy, et al., v. The Trump Corporation, et al.*, 18-cv-09936 (LGS)

Dear Judge Cave:

We write in response to Defendants' letter submitted earlier today seeking an adjournment of the discovery conference scheduled for May 9, 2022 in the above-referenced matter. (ECF No. 409). More specifically, the available dates set forth in today's letter do not fully reflect our meet-and-confer with Defendants on this issue.

When Defendants told us yesterday that they had a scheduling conflict on May 9, they represented that they were available on May 10, 12, 13, 16, or 18. In an effort to accommodate Defendants, we said that we would not oppose their adjournment request and that we were available on May 10, 12, and 18. To our surprise, Defendants' letter of today offered availability only on May 18. While we were not privy to Defendants' discussions with counsel for non-party ACN, we were surprised to see that no earlier dates were offered. Indeed, given the upcoming fact discovery deadline in this case of June 29, Plaintiffs believe the conference should be held as soon as possible.

To the extent that Defendants' request for May 18 reflects more limited availability on the part of counsel for ACN, we would respectfully suggest that the Court may wish to hold two conferences—one to address the discovery disputes involving Defendants on May 10 or 12 (when they said they were available), and then a subsequent conference to address the disputes relating to ACN on May 18 (if not available earlier), subject, of course, to the Court's availability. While we appreciate that this may not be the most ideal way to proceed, we note that the disputes

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involving Defendants are likely to have a very significant impact on case management and it therefore would be appropriate to address those issues very soon, preferably next week.

In all events, we remain available on the previously-ordered date of May 9, on May 10, 12, or 18, or on any other date that is convenient for the Court.

Respectfully submitted,



Roberta A. Kaplan

cc: Counsel of Record (via ECF)